



**CITY COUNCIL  
ATLANTA, GEORGIA**

**A RESOLUTION**

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**04-*R*-1917**

**A RESOLUTION TO CORRECT RESOLUTION 04-R-1676  
CHANGING THE FUND CENTER NUMBER TO Q30001  
(DEPUTY DIRECTOR, WASTE WATER TREATMENT  
AND COLLECTIONS)**

**WHEREAS**, Resolution 04-R-1676 (copy attached) was adopted by the City Council on October 4, 2004 and approved by the Mayor on October 8, 2004; and

**WHEREAS**, said resolution requires correction of the fund center number; and

**WHEREAS**, this correction is necessary to maintain the property numerical structure in the City's accounting records.

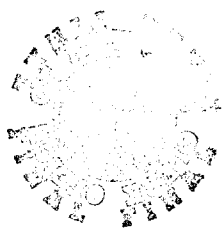
**THEREFORE, BE IT RESOLVED** that Resolution 04-R-1676 (copy attached) fund center be changed to Q30001 (Deputy Director, Waste Water Treatment and Collections).

A true copy,

*Rhonda Daughlin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

NOV 01, 2004  
NOV 05, 2004



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**04-R-1676**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Rhomell Juanita Wyatt** in the sum of **\$850.00** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of storm water overflows between 2002 and 2004 at 1144 Fair Street SW**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughlin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
APPROVED by the Mayor**

October 4, 2004  
October 8, 2004

RCS# 6199  
11/01/04  
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 3-15

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

CONSENT I

		11-01-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 04-O-1626 2. 04-O-1795 3. 04-O-1796 4. 04-O-1828 5. 04-O-1819 6. 04-O-1929 7. 04-O-1758 8. 04-O-1932 9. 04-O-1430 10. 04-O-1926 11. 04-O-1885 12. 04-O-1937 13. 04-O-1941 14. 04-R-1893 15. 04-R-1894 16. 04-R-1895 17. 04-R-1916 18. 04-R-1917 19. 04-R-1918 20. 04-R-1920 21. 04-R-1896 22. 04-R-1897 23. 04-R-1898 24. 04-R-1899 25. 04-R-1930 26. 04-R-1884 27. 04-R-1886 28. 04-R-1888 29. 04-R-1889 30. 04-R-1890 31. 04-R-1891 32. 04-R-1928 33. 04-R-1938 34. 04-R-1870 35. 04-R-1871 36. 04-R-1874 37. 04-R-1945	38. 04-R-1878 39. 04-R-1940 40. 04-R-1908 41. 04-R-1909 42. 04-R-1910 43. 04-R-1911 44. 04-R-1912 45. 04-R-1913 46. 04-R-1914 47. 04-R-1915	48. 04-R-1162 49. 04-R-1172 50. 04-R-1178 51. 04-R-1782 52. 04-R-1900 53. 04-R-1901 54. 04-R-1902 55. 04-R-1903 56. 04-R-1904 57. 04-R-1905 58. 04-R-1906 59. 04-R-1907

04- R-1917

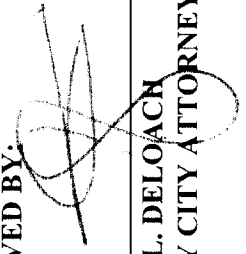
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A RESOLUTION

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION TO RESOLUTION 04-R-1676  
CHANGING THE FUND CENTER NUMBER  
TO Q30001 (DEPUTY DIRECTOR, WASTE  
WATER TREATMENT AND COLLECTION)

APPROVED BY:



ADOPTED BY

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY NOV 01 2004

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

ASLA Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☒ Consent

☐ V Vote

☒ RC Vote

CERTIFIED

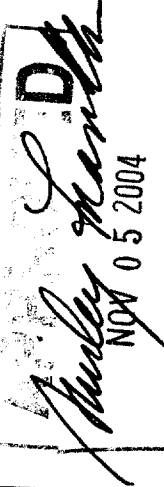
NOV 01 2004

CERTIFIED

NOV 01 2004

Richard Davidson Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

  
NOV 05 2004

MAYOR



CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION

04-R-1916

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE

**A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF \$21,749.88 IN SETTLEMENT OF THE CLAIM OF CAROL WILLIAMS, THROUGH HER ATTORNEY, NEIL J. KOPITSKY AGAINST THE CITY OF ATLANTA TO BE PAID FROM ACCOUNT NUMBER 2P01(SOLID WASTE SERVICES) 529017(PROPERTY LIQUIDATION) T31001(NON DEPARTMENTAL) AND FOR OTHER PURPOSES**

**WHEREAS**, Carol Williams, through her attorney, Neil J. Kopitsky, has filed a claim against the City of Atlanta seeking damages arising out of a collision with a vehicle operated by an employee of the Bureau of Solid Waste Services; and

**WHEREAS**, the collision occurred when the brakes failed on a Solid Waste Services truck causing the driver of same to rear end a MARTA bus on which the claimant was riding; and

**WHEREAS**, the claimant asserted damages in the amount of \$300,000.00 but has agreed to accept the sum of \$21,749.88 in full and complete satisfaction and settlement of her claim against the City of Atlanta; and

**WHEREAS**, the City Attorney has recommended that the claim of Carol Williams, through her attorney, Neil J. Kopitsky, be settled for the sum of \$21,749.88.

**WHEREAS**, the claimant's previous attorney had filed a claim on her behalf but abandoned the claim and the Council of the City of Atlanta adopted an adverse recommendation on February 2, 2004.

**THEREFORE, BE IT RESOLVED** that Resolution 04-R-0117 be hereby rescinded.

**BE IT FURTHER RESOLVED** that the Council of the City of Atlanta, Georgia that \$21,749.88 be paid by the City of Atlanta in satisfaction of any and all claims Carol Williams, through her attorney, Neil J. Kopitsky, may have stemming from damages sustained due to a motor vehicle collision on or about August 14, 2004 at Browns Mill Road and Jonesboro Road.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer be and hereby authorized to pay the above mentioned sum from account number 2P01(Solid Waste Services) 529017 (Property Liquidation)T31001(Non Departmental).

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

NOV 01, 2004  
NOV 05, 2004

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0732

Date: October 13, 2004

Claimant /Victim CAROL WILLIAMS  
BY: (Atty) Neil Kopitsky  
Address: 100 Colony Square, Suite 820, 1175 Peachtree Street, Atlanta, Georgia 30361  
Subrogation: Claim for Property damage \$ Bodily Injury \$ 300,000.00  
Date of Notice: 09/08/03 Method: Written, proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 08/14/03 Place: Browns Mill Road and Jonesboro Road  
Department Public Works Bureau: Solid Waste Services  
Employee involved Darryl D. Winfrey Disciplinary Action: No Action Taken/Equipment Failure

NATURE OF CLAIM: The claimant alleges she was injured when the MARTA bus in which she was riding was rear ended by a City Solid Waste Services truck. This accident occurred as a result of brake failure.

### INVESTIGATION:

Statements: City employee        Claimant        Others        Written        Oral         
Pictures        Diagrams        Reports: Police X Dept Report X Other         
Traffic citations issued: City Driver        Claimant Driver         
Citation disposition: City Driver        Claimant Driver       

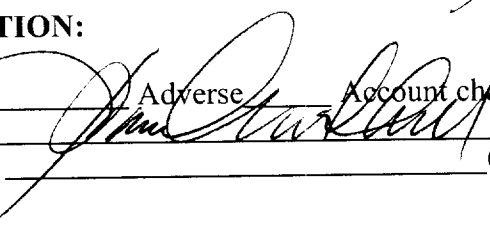
### BASIS OF RECOMMENDATION:

Function: Governmental        Ministerial        X  
Improper Notice        More than Six Months        Other        Damages reasonable         
City not involved        Offer rejected        Compromise settlement X  
Repair/replacement by Ins. Co.        Repair/replacement by City Forces         
Claimant Negligent        City Negligent X Joint        Claim Abandoned       

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

### RECOMMENDATION:

Pay \$ 21,749.88 X Adverse Account charged: 1A01        2J01        2H01        2P01 X  
Claims Manager:  Concur/date 10/13/04  
Committee Action:        Council Action

RCS# 6199  
11/01/04  
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 3-15

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

CONSENT I



		11-01-04 Council Meeting
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04-L-1916

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A RESOLUTION

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING PAYMENT IN  
THE AMOUNT OF \$21,749.88 IN SETTLEMENT OF  
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THE CITY OF ATLANTA TO BE PAID FROM  
ACCOUNT NUMBER 2P01(SOLID WASTE  
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T31001(NON DEPARTMENTAL) AND FOR OTHER  
PURPOSES

APPROVED BY:

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

ADOPTED BY

NOV 01 2004

COUNCIL

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

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First Reading

Committee

Date

Chair

Referred to

PSLA

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☒ Consent ☐ V Vote ☒ RRC Vote

CERTIFIED

CERTIFIED

NOV 01 2004

ATLANTA CITY COUNCIL PRESIDENT

*Joe M. Ford*

CERTIFIED

NOV 01 2004

*Rachel Douglas Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

NOV 05 2004

MAYOR